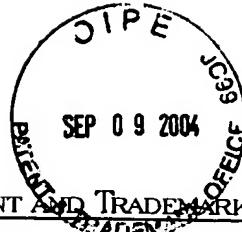




UNITED STATES PATENT AND TRADEMARK OFFICE



IFW/J
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,279	03/25/2004	Jerome Carmel Caruso	3591-1378

00757
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

CONFIRMATION NO. 6045
FORMALITIES LETTER



OC000000012909814

Date Mailed: 06/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/09/2004 EAREGAY1 00000038 10809279

01 FC:1001 770.00 OP
02 FC:1051 130.00 OP
03 FC:1201 172.00 OP
04 FC:1202 36.00 OP

FILED UNDER 37 CFR 1.53(b).

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1); See Figure(s) 33, 34, 38, 39.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 22-29, 32, 37.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$208** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1108** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$208**
 - **\$172** for 2 independent claims over 3.
 - **\$36** for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: 09/09/04 Name: Andrew D. Stover Reg. No. 38,629 Signature:

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Caruso et al.

Appln. No.: 10/809,279

Filed: March 25, 2004

For: SEATING STRUCTURE HAVING
FLEXIBLE SUPPORT SURFACE

Attorney Docket No: 3591-1378

Examiner: Unassigned

Art Unit: 3635

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- Response to Notice to File Missing Parts of Application Filing Date Granted with a copy of the Notice to File Missing Parts of Nonprovisional Application (in duplicate).
- Declaration for Utility Patent Application.
- Assignment and Recordal Cover Sheet.
- Power of Attorney.
- Information Disclosure Statement (in duplicate).
- Form PTO 1449.
- Copies of seven (7) cited references.
- Petition and Fee for Extension of Time (in duplicate).
- Submission of Formal Drawings.
- 18 formal drawing sheets.
- Return Receipt Postcard.

Fee calculation:

- No additional fee is required.
- Small Entity.
- An extension fee in an amount of \$110.00 for a one-month extension of time under 37 C.F.R. § 1.136(a).
- A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____.)
- An additional filing fee has been calculated as shown below:

Claims as Filed	Col. 1	Col. 2	Small Entity		or	Not a Small Entity	
For	No. Filed	No. Extra	Rate	Fee	or	Rate	Fee
Basic Fee				\$ 385	or		\$ 770
Total Claims	22-20	2	x\$9=	\$	or	2x\$18=	\$36
Independent Claims	5-3	2	x\$43=	\$	or	2x\$86=	\$172
Multiple Dependent Claims Present			+\$145=	\$	or	+\$290=	\$
*If the difference in col. 1 is less than zero, enter "0" in col. 2.			Total	\$	or	Total	\$978

Fee payment:

- A check in the amount of \$1108.00 for the filing fee, surcharge and fee for two (2) additional claims which includes 2 independent claims is enclosed.
- A check in the amount of \$40.00 for the Assignment recordal fee is enclosed.

09/09/2004 EARLYAY1 00000038 10803879
110.00 (P)
05 FC:1251

A check in the amount of \$110.00 for a one-month extension of time fee is enclosed.

Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.

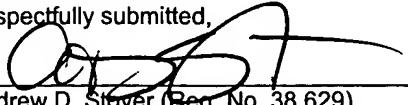
Payment by credit card in the amount of \$ _____. (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

9/7/04

Respectfully submitted,


Andrew D. Stever (Reg. No. 38,629)



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

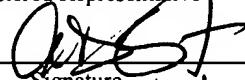
Alexandria, VA 22313

on 9/7/04

Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of applicant, assignee or
Registered Representative



Signature

9/7/04

Date of Signature

Case No. 3591-1378

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Caruso et al.

Serial No.: 10/809,279

Attention: Manager,
Application Branch

Filed: March 25, 2004

For: SEATING STRUCTURE
HAVING FLEXIBLE
SUPPORT SURFACE

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated June 9, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.

Applicant:

claims small entity status. See 37 CFR1.27.

is other than small entity

A check totaling \$1108.00 for:

Filing Fee of \$770.00.

Surcharge of \$130.00.

Additional Claim Fees of \$208.00.

A check totaling \$40.00 for the Assignment recordal fee.

A check totaling \$110.00 for a one month extension of time fee.

Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).

Assignment and Recordal Cover Sheet.

Information Disclosure Statement (in duplicate).

Form PTO 1449.

Copies of seven (7) cited references.

Submission of Formal Drawings.

18 formal drawing sheets.

The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Dated:

9/7/04

Respectfully submitted,



Andrew D. Stover

Registration No. 38,629

Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200

I hereby certify that this correspondence is being deposited, with sufficient postage, with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

ANDREW D. STOVER, Reg. No. 38,629

Name of applicant, assignee or
Registered Representative

9/7/04

Signature



Date of Signature

PATENT
Case No. 3591-1378

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: CARUSO et al.	
Serial No: 10/809,279	Examiner: Unassigned
Filing Date: March 25, 2004	
For: SEATING STRUCTURE HAVING FLEXIBLE SUPPORT SURFACE	Group Art No.: 3635

SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents
Attn: Drawing Processing Branch
Washington, D.C. 20231

Dear Sir:

In response to the Notice of to File Missing Parts of Nonprovisional Application Filing Date Granted mailed June 9, 2004, Applicants submit herewith 18 sheets of formal drawings. The drawings have been formalized in compliance with 37 C.F.R §§ 1.84 and 1.121.

Respectfully submitted,



Andrew D. Stover, Reg. No. 38,629
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P. O. Box 10395
Chicago, IL 60610
(312) 321-4200